

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
CONNECTICUT, NEW JERSEY,
RHODE ISLAND and
WASHINGTON, and
COMMONWEALTHS OF
MASSACHUSETTS and VIRGINIA,

Plaintiffs,

v.

UNITED STATES DEPARTMENT
OF JUSTICE; and JEFFERSON B.
SESSIONS III, in his official capacity
as Attorney General of the United
States,

Defendants.

CIVIL ACTION NO. 1:18-cv-06471
(Judge Ramos)

STIPULATION

Plaintiffs the States of New York, New Jersey, Rhode Island, and Washington, and the Commonwealth of Virginia (“Plaintiff States”), and Defendants United States Department of Justice and Jefferson B. Sessions III (“Defendants”), do HEREBY STIPULATE AND AGREE as follows:

1. This stipulation shall remain in effect for a period of 60 days from the date hereof, i.e., until January 1, 2019. On January 1, 2019, and every 30 days thereafter, this stipulation shall automatically be extended for a 30-day period (the “extension term”), except in the case that Defendants give notice to Plaintiff States 14 days in advance of the end of an extension term that Defendants do not agree to renew the stipulation for the next extension term, thus ending the stipulation at the end of the then-operational extension term;

2. For the duration of this stipulation, Defendants shall not disburse, expend, or revert to the Treasury the Fiscal Year (“FY”) 2018 Title II Juvenile Justice Delinquency Prevention (“Title II”) funds allocated to Plaintiff States;
3. For the duration of this stipulation, Defendants shall not deny Plaintiff States their respective FY 2018 Title II funds (in keeping with their respective FY 2018 Title II formula allocations) on the basis of failure to accept the FY 2018 Title II award within 45 days of receiving the award documents;
4. If this stipulation is in effect at the time a resolution of this matter on the merits is reached, Defendants shall not deny Plaintiff States their respective FY 2018 Title II awards for failure to accept the award within the deadline to accept without first advising them in writing of a new period (of not less than 45 days) within which to accept and allowing that period to expire. If after a determination on the merits, Plaintiff States remain eligible for an FY 2018 Title II award and the Court’s order does not require alteration of the award documents, Defendants will issue a new deadline within 7 days;
5. This stipulation is independent of, and does not alter, amend, or replace, the Stipulations and Orders previously entered and agreed between the Defendants and the Plaintiff States (ECF Nos. 29, 105); and
6. This stipulation applies only to the parties that are currently before the Court in this litigation. No party that is not currently named as a party to this litigation shall be entitled to any rights or benefits whatsoever under this stipulation.

IT IS STIPULATED AND AGREED.

Dated: November 2, 2018

Respectfully submitted,

By: /s/ Lourdes M. Rosado

Lourdes M. Rosado, Bureau Chief
Civil Rights Bureau
New York State Office of the Attorney General
28 Liberty St., 20th Floor
New York, NY 10005
212-416-8252
Lourdes.Rosado@ag.ny.gov

Counsel for Plaintiffs

JOSEPH H. HUNT
Assistant Attorney General

CHAD A. READLER
Principal Deputy Assistant Attorney
General
BRETT A. SHUMATE
Deputy Assistant Attorney General

JOHN R. TYLER
Assistant Director

By: /s/ Daniel D. Mauler

DANIEL D. MAULER
Virginia State Bar No. 73190
Trial Attorney
U.S. Department of Justice
Civil Division, Federal Programs Branch
1100 L Street, N.W.
Washington, DC 20005
(202) 616-0773
(202) 616-8470 (fax)
dan.mauler@usdoj.gov

Counsel for Defendants